



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: )  
BURNETT, Daniel R. )  
 ) Group Art Unit: 3761  
Appl. No.: 10/826,237 )  
 ) Examiner: WIEST, Philip R.  
Filed: April 17, 2004 )  
 )  
For: IMPLANTABLE FLUID )  
MANAGEMENT SYSTEM FOR )  
THE REMOVAL OF EXCESS )  
FLUID )

San Diego, California

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

**INFORMATION DISCLOSURE STATEMENT UNDER 37 CFR § 1.97 (c)**

Dear Sir or Madam:

In accordance with 37 C.F.R. § 1.56, Applicant makes the documents, listed on the enclosed form PTO/SB/08, of record in the above-identified application. In accordance with 37 C.F.R. § 1.97, this statement is not to be construed as a representation that a search has been made, and is not a representation that the information cited is effective as prior art to the application or is material to patentability.

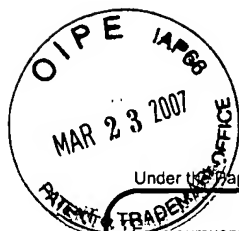
It is respectfully requested that these documents be (1) fully considered by the U.S. Patent and Trademark Office in the examination of the above-identified application; and

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence and anything being referred to as enclosed herein is being deposited with the United States Postal Service via First Class Mail with sufficient postage in an envelope addressed to Mail Stop: Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on this 19th day of March, 2007.

Signature:

03/23/2007 EHAILE1 00000037 502298 10026237  
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PTO/SB/17 (02-07)

Approved for use through 02/28/2007. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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Effective on 12/08/2004.

Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

# FEE TRANSMITTAL

## For FY 2007

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 230.00

**Complete if Known**

Application Number	10/826,237
Filing Date	April 17, 2004
First Named Inventor	BURNETT, Daniel R.
Examiner Name	WIEST, Philip R.
Art Unit	3761
Attorney Docket No.	NOVA-4

**METHOD OF PAYMENT (check all that apply)**☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): \_\_\_\_\_☒ Deposit Account Deposit Account Number: 50-2298 Deposit Account Name: Luce, Forward, Hamilton & Scripps LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 ☒ Credit any overpayments

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**FEE CALCULATION****1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

**2. EXCESS CLAIM FEES****Fee Description**

Each claim over 20 (including Reissues)

Each independent claim over 3 (including Reissues)

Multiple dependent claims

Fee (\$)	Small Entity Fee (\$)
50	25
200	100
360	180

Total Claims	Extra Claims	Fee (\$)	Fee Paid (\$)
22	- 20 or HP = 2	x \$25.00 =	\$50.00

HP = highest number of total claims paid for, if greater than 20.

Indep. Claims	Extra Claims	Fee (\$)	Fee Paid (\$)
2	- 3 or HP = 0	x \$100.0 =	\$0.00

HP = highest number of independent claims paid for, if greater than 3.

**3. APPLICATION SIZE FEE**

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
- 100 =	/ 50 =	(round up to a whole number) x	=	

**4. OTHER FEE(S)**

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): IDS before final under 37 CFR §1.113.

Fees Paid (\$)

\$180.00

**SUBMITTED BY**

Signature	<u>Franco A. Serafini</u>	Registration No. (Attorney/Agent) 52,207	Telephone 858.720.6300
Name (Print/Type)	Franco A. Serafini		Date March 19, 2007

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

(2) printed on any patent which may issue on this application. It is also respectfully requested that a copy of Form PTO/SB/08, as considered and initialed by the Examiner, be returned to the undersigned with the next communication in accordance with M.P.E.P. § 609.

Pursuant to 37 C.F.R. 1.97(c), this Information Disclosure Statement is filed before the mailing date of the final action under 37 CFR §1.113, therefore, please charge our Deposit Account No. 50-2298 in the amount of \$180.00 00 under 37 CFR 1.17 (p). We request any underpayments or overcharges being charged to Deposit Account No. 50-2298, in the name of Luce, Forward, Hamilton & Scripps LLP.

Respectfully submitted,

MARCH 19, 2007  
Date

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PTO/SB/08A (09-06)